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Seventieth year

Identical letters dated 7 August 2015 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the second quarterly report (for the period April-June 2015) of the Ministry of Foreign Affairs of Georgia on the human rights situation in the occupied regions of Georgia (see annex),* which was issued on 5 August 2015.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 33, and of the Security Council.

(*Signed*) Vakhtang **Makharoblishvili**
Chargé d'affaires a.i.

* The annex is being circulated in the languages of submission only.

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Annex to the identical letters dated 7 August 2015 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Second Quarterly Report (April-June 2015) of the Ministry of Foreign Affairs of Georgia

on the Human Rights Situation in the Occupied Regions of Georgia

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1. Introduction

1.1 Aims of the Report and Methodology Applied

This is the second quarterly report of the Ministry of Foreign Affairs of Georgia, covering the period of April-June 2015 and aiming at assessing the human rights situation in the occupied regions of Georgia. The first quarterly report covered the period of January-March 2015. The Ministry of Foreign Affairs of Georgia will further continue the preparation of such reports on a quarterly basis. This reporting exercise aims to contribute to the provision of regular and updated information to the international community, to states as well as to international inter-governmental and non-governmental organizations, on the human rights situation in the occupied regions of Georgia.

As for the applied methodology, this reporting exercise consolidates and assesses existing information from various open sources, national and international, on violations of human rights in the occupied regions of Georgia. Due to limitations on its length, the report does not aim to collect/contain information on all cases of violations of human rights in the occupied regions of Georgia; it aims to consolidate and assess only some of the most known examples of violations. The methodology applied does not provide for the conduct of fact-finding visits to the occupied regions of Georgia, nor to the conduct of interviews. Therefore the methodology applied does not enable this reporting exercise to collect and produce new data on the human rights situation in the occupied regions of Georgia.

1.2 Occupation of Regions of Georgia and Responsibility of the Occupying Power for Human Rights Violations

Currently, the territories of two regions of Georgia — Abkhazia, Georgia and the Tskhinvali Region, Georgia are occupied by the Russian Federation. The Russian Federation as the occupying power, exercises effective control over these territories. The occupation of regions of Georgia by the Russian Federation has been recognized by the international community.[1] As a result of military aggression, creeping annexation and occupation policy, well-planned and systematically implemented by the Russian Federation regarding the territory of Georgia, between 1991 and 2015 several hundreds of thousands of persons were expelled from their homes to become IDPs and refugees and they have been deprived of their

[1] For example, "Resolution on the Situation in Georgia" (2012), Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE PA), paragraphs 4 and 7; "European Parliament Resolution on the Conclusion of the Association Agreement with Georgia", 18 December 2014, European Parliament, paragraphs D and 11; "European Parliament Resolution on the Negotiations of the EU-Georgia Association Agreement", 17 November 2011, European Parliament, paragraph F; Resolution 1633 (2008) "The consequences of the war between Georgia and Russia", Parliamentary Assembly of the Council of Europe (PACE), paragraph 6; Resolution 1647 (2009) "Implementation of Resolution 1633 (2008) on the consequences of the war between Georgia and Russia", Parliamentary Assembly of the Council of Europe (PACE), paragraph 16; Resolution 1648 (2009) "The Humanitarian Consequences of the War between Georgia and Russia", Parliamentary Assembly of the Council of Europe (PACE), paragraphs 6, 24.14 and 24.15; Resolution 1801 (2011) "On Honouring of Obligations and Commitments by Georgia", Parliamentary Assembly of the Council of Europe (PACE), paragraph 22; Resolution 1916 (2013) "Georgia and Russia: the Humanitarian Situation in the Conflict and War-affected Areas", Parliamentary Assembly of the Council of Europe (PACE), paragraph 8.

internationally recognized right to a voluntary, safe and dignified return to places of their permanent residence.[2] It should be emphasized that during the reporting period[3] the United Nations General Assembly adopted a resolution recognizing "the right of return of all internally displaced persons and refugees and their descendants, regardless of ethnicity, to their homes throughout Georgia, including in Abkhazia and the Tskhinvali region/South Ossetia".[4] It should be noted with particular emphasis, that recently the Russian Federation signed the so called "Treaty on Alliance and Strategic Partnership" with its occupation regime in Sokhumi and the so called "Treaty on Alliance and Integration" with its occupation regime in Tskhinvali: thus going well beyond its military occupation and laying ground for annexation[5] of Georgian territories. These so called "treaties" contradict principles of international law.[6]

During the reporting period,[7] the Committee of Ministers' Deputies of the Council of Europe, made a decision in which it recognized effective control of the Russian Federation in Abkhazia and Tskhinvali regions, namely it "called on the Russian Federation to facilitate and grant unrestricted access to the Council of Europe bodies, as well as the Secretariat delegation, when preparing the Secretary General's consolidated reports, to the areas affected by the conflict in Georgia; invited the Secretary General to engage in a dialogue with the Russian Federation and Georgia to this end".[8] Since the August War of 2008, the international community has been calling on the Russian Federation to bear responsibility for violations of human rights in the territories of Georgia which are under Russia's effective control.[9] The UN Human Rights Committee issued recommendations to the Russian Federation on the issue at its 97th (2009) and 113th (2015) sessions.[10] According to the European Parliament, "whereas Russia [in 2014] continues to occupy the Georgian

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[2] Namely, as a result of the ethnic cleansings of 1991-1993 and 1998, approximately 450,000 persons were expelled from places of their permanent residence: approximately 20,000 persons from the Tskhinvali Region/South Ossetia, Georgia in 1991-1992; approximately 370,000 persons from Abkhazia, Georgia in 1992-1993; and approximately 60,000 from the Gali district Abkhazia, Georgia in 1998. In addition, as a result of ethnic cleansing during the 2008 August War and its aftermath, tens of thousands of IDPs and refugees from the Akhalgori district and its adjacent areas, as well as Kodori Gorge/Upper Abkhazia were expelled from places of their permanent residence.

[3] April-June 2015.

[4] Resolution adopted by the General Assembly on 3 June 2015 on Status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia. A/RES/69/286, paragraph 1. See also previous resolutions: 68/274 of 5 June 2014; 67/268 of 13 June 2013; 66/283 of 3 July 2012; 65/287 of 29 June 2011 etc.

[5] "European Parliament Resolution on the Conclusion of the Association Agreement with Georgia", 18 December 2014, European Parliament, paragraph 11.

[6] "The Council of Europe and the conflict in Georgia", decision of the Committee of Ministers' Deputies of the Council of Europe, 1227th Meeting (12 May 2015), paragraph 2.

[7] April-June 2015.

[8] "The Council of Europe and the conflict in Georgia", decision of the Committee of Ministers' Deputies of the Council of Europe, 1227th Meeting (12 May 2015), paragraph 7.

[9] For example, Resolution 1647 (2009) "Implementation of Resolution 1633 (2008) on the consequences of the war between Georgia and Russia", Parliamentary Assembly of the Council of Europe (PACE), paragraph 7; "Europe Parliament Resolution on the Negotiations of the EU-Georgia Association Agreement", 17 November 2011, European Parliament, paragraph F.

[10] Concluding Observations of the UN Human Rights Committee: Russian Federation, 97th Session, 2009, CCPR/C/RUS/CO/6 pp. 5-6; Concluding Observations of the UN Human Rights Committee: Russian Federation, 113th Session, 2015, CCPR/C/RUS/CO/7, p. 2.

regions of Abkhazia and the Tskhinvali region/South Ossetia, in violation of the fundamental norms and principles of international law; whereas ethnic cleansing and forcible demographic changes have taken place in the areas under the effective control of the occupying forces, which bear the responsibility for human rights violations in these areas, including violations of the rights to free movement, people-to-people contacts and education in one's native language".[11]

1.3 Occupation Line and Installation of Barbed Wire Fences

The occupation line along the administrative boundary line (ABL) with Abkhazia and the Tskhinvali Region separates Georgia from its two occupied territories. The occupation line, established by the occupying power since the August War of 2008, prevents several hundreds of thousands of IDPs and refugees from returning to places of their permanent residence. In 2009 the transfer of the control of the occupation line to the Russian FSB officers puts further restrictions on ethnic Georgians: Russia continues to place undue restrictions on the local population wishing to cross the occupation line[12] that often runs through their orchards, yards, grazing fields, agricultural plots and cemeteries. People are regularly detained by Russian FSB officers for so called "illegal border crossings" while the operating crossing points along the occupation line allow crossings only to individuals having one of the types of "documents" recognized by the occupying power and based on vague criteria as to the validity of these documents.[13] Those unable to present those documents or show up at the crossing point out of working hours, are denied the right to cross, often leading to casualties among those locals, including children and women, seeking urgent medical treatment.

In the spring of 2011, the Russian occupation forces intensified the process of the installation of barbed wire fences and other artificial obstacles along the occupation lines in Abkhazia and the Tskhinvali Region (launched back in 2009). This process has been further intensified since January 2013 and is still ongoing. Currently, the total length of artificial barriers along the occupation line only in Tskhinvali Region is 51 km. In some segments, the barbed wire fence and the so called "border signs" have intruded into territory controlled by the Government of Georgia, thus extending the area of occupation.

The installation of barbed wire fences and artificial obstacles significantly affects the everyday life of the local population; namely it divides families and communities and prevents people-to-people contact; blocks the access of the local population to their agricultural lands and to potable/irrigation water systems; it prevents the local population from visiting religious sites and from having an access to cemeteries; and, most alarmingly, blocks local residents from reaching the emergency medical services. During the reporting period,[14] the Committee of Ministers' Deputies of the Council of Europe, made a decision in which it "expressed serious concern at the continued installation of barbwire fences and other artificial obstacles by the Russian Federation violating, inter alia, human

[11] "European Parliament Resolution on the Conclusion of the Association Agreement with Georgia", 18 December 2014, European Parliament, paragraph D.

[12] Resolution 1683 (2009) "The War between Georgia and Russia: One Year After", Parliamentary Assembly of the Council of Europe (PACE), paragraphs 5 and 7.

[13] Consolidated Report on the Conflict in Georgia, Council of Europe (November 2014-March 2015), 22 April 2015, SG/Inf (2015) 18, paragraph 44.

[14] April-June 2015.

rights and fundamental freedoms, including but not limited to the right to free movement, the right to property, the right to family life and the right to education in the native language of those residing within the Georgian regions of Abkhazia and South Ossetia and in the adjacent areas, as well as the fundamental right of IDPs to a safe and dignified return".[15] It should be noted that the installation of barbed wire fences along the occupation line in the Tskhinvali Region, Georgia, had a direct impact on 200 local families and some were compelled to flee, thus creating a further wave of IDPs. It should be emphasized that the international community condemned the process of the illegal installation of barbed wire fences and other artificial obstacles along the lines of occupation.[16]

1.4 Occupied Territories as "Black Holes" of the Human Rights Protection Mechanisms

Former UN High Commissioner for Human Rights, Navy Pillay, assessed Georgia's occupied territory of South Ossetia/Tskhinvali Region as a "black hole" and "one of the most inaccessible places on earth"; she noted that very little is known about what is happening in this area and "more attention needs to be paid to the situation of human rights in South Ossetia and Abkhazia".[17] Notably, the High Commissioner, similarly to other representatives of international organizations, was denied access to the occupied region. It is noteworthy that "the Assembly [PACE] considers it unacceptable that persons residing in Abkhazia and South Ossetia should not be effectively covered by the human rights protection mechanisms granted to them as citizens of a Council of Europe member state under the European Convention on Human Rights, as well as other relevant Council of Europe conventions, as a result of the consequences of the war between Russia and Georgia. Such a human rights protection black hole should not be allowed to exist within the Council of Europe area".[18]

These two regions still remaining under foreign military occupation, constitute above all dangerous black holes in verifying human rights violations and holding the violators accountable. Protection of human rights in the occupied regions of

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[15] "The Council of Europe and the conflict in Georgia", decision of the Committee of Ministers' Deputies of the Council of Europe, 1227th Meeting (12 May 2015), paragraph 3.

[16] "Statement by the Spokesperson of EU High Representative Catherine Ashton on the placement of obstacles along administrative boundary lines in Georgia", 1 October 2013 (131001/02); "Pillay praises Georgia's plan to introduce comprehensive human rights reforms, Opening remarks by UN High Commissioner for Human Rights, Navi Pillay, at a press conference in Tbilisi." Georgia, 21 May 2014, available at: http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14624#sthash.OkwTyUpY.dpuf; "State of Democracy, Human Rights and Rule of Law in Europe", Report by the Secretary General of the Council of Europe, 124th Session of the Committee of Ministers, 4-5 May 2014, p. 56; "EUMM: Recent installation of fences near Ditsi is unacceptable", 28.05.2013; "EUMM voices concern about the impact of fences on local communities", 02.08.2013; "EUMM notes resumption of fencing activities", 29.11.2013; "EUMM: Recent installation of fences near Ditsi is unacceptable", 28.05.2013; "EUMM voices concern about the impact of fences on local communities", 02.08.2013; "EUMM notes resumption of fencing activities", 29.11.2013.

[17] "Pillay praises Georgia's plan to introduce comprehensive human rights reforms, Opening remarks by UN High Commissioner for Human Rights, Navi Pillay, at a press conference in Tbilisi." Georgia, 21 May 2014, available at: http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14624#sthash.OkwTyUpY.dpuf.

[18] Resolution 1647 (2009) "Implementation of Resolution 1633 (2008) on the consequences of the war between Georgia and Russia", Parliamentary Assembly of the Council of Europe (PACE), paragraph 7.

Georgia remains a challenge not only for the government of Georgia but also for the international community. For years, the Georgian authorities have been trying to involve international organizations in the issue of the protection of human rights in the occupied regions of Georgia. The Georgian government keeps on emphasizing the significance of the access of international human rights monitoring mechanisms in Abkhazia, Georgia and the Tskhinvali Region, Georgia.[19] It is deplorable that the European Union Monitoring Mission (EUMM) in Georgia is prevented from monitoring inside the occupied regions, as provided by the mandate. The occupying power, exercising effective control, has been preventing numerous international organizations, including humanitarian.[20] from entering those territories: this represents yet another blatant attempt to conceal grave human rights violations which systematically occur in this area. Here again it should be recalled that during the reporting period,[21] the Committee of Ministers of the Council of Europe called on the Russian Federation to grant access to the Council of Europe bodies to the Abkhazia and Tskhinvali regions of Georgia.[22]

2. Freedom from Torture and Ill-treatment

2.1 Introduction

According to some information sources, there are extremely bad conditions in the prisons in the occupied region of Abkhazia; some inmates experience extremely bad physical and physiological treatment.[23] During and after the August War of 2008, numerous cases were reported from the occupied regions of Georgia of torture and ill-treatment.[24] It should be noted that the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) noted the practice of ill-treatment and abuse during detention, as well as poor detention conditions, in occupied Abkhazia.[25]

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[19] Consolidated Report on the Conflict in Georgia, Council of Europe (October 2013-March 2014), 22 April 2014, SG/Inf (2014) 17, paragraph 39.

[20] "Human Rights in the War-Affected Areas Following the Conflict in Georgia", OSCE/ODIHR, 27 November 2008, p. 72.

[21] April-June 2015.

[22] "The Council of Europe and the conflict in Georgia", decision of the Committee of Ministers' Deputies of the Council of Europe, 1227th Meeting (12 May 2015), paragraph 7.

[23] See for example, Report of the Year 2014 of the Public Defender of Georgia on the Situation of Rights of the Population Affected by the Conflicts, 5 June 2015, page 23.

[24] "Human Rights in the War-Affected Areas Following the Conflict in Georgia", OSCE/ODIHR, 27 November 2008, pp. 24-25, p. 36, p. 59, 74; "August Ruins", Report of the Georgian Non-Governmental Organizations on Violations of Fundamental Human Rights and International Humanitarian Law, August War, 2008, Tbilisi 2009, p. 40; "Russia's Responsibility for Human Rights in Occupied Regions of Georgia" Submission from the Georgian Young Lawyers' Association (GYLA), National Institute for Human Rights (NIHR) and Human Rights Priority for consideration at the 113th Session of the Human Rights Committee (16 March-2 April 2015) Russian Federation, p. 3 and 9.

[25] Report on the visit to the region of Abkhazia, Georgia, carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 27 April to 4 May 2009. It should be also noted that in 2015, Mr Juan E. Mendez, the UN Special Rapporteur on Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment visited Georgia, but was not allowed to visit the occupied regions of Georgia.

2.2 Current Situation

Numerous cases were noted during the reporting period[26] on violations of the right to freedom from torture and ill-treatment.[27] For example information available in the Georgian media and other open sources suggest the following: on 3rd April 2015, husband and wife, residents of the village of Pirveli Otobaia, Gali district,[28] were detained by Russian FSB officers for so called "illegal border crossing" in the area of the village of Meore Otobaia, Gali district, and were taken to the de facto Abkhazia State Security office in Gali. During their detention while being interrogated, one detainee (the husband) was physically assaulted by the Russian FSB officers; on 10th April 2015, a resident of the village Tagiloni, Gali district, was detained by Russian FSB officers for so called "illegal border crossing" in the area of the village of Nabakevi, Gali district, and was taken to the de facto Abkhazia State Security office in Gali. During the detention the detainee was severely beaten by the Russian FSB officers; on 12th May 2015, two residents of the village of Nabakevi, Gali district, were detained by Russian FSB officers for so called "illegal border crossing" in the area of the village of Nabakevi, Gali district, and were taken to the de facto Abkhazia State Security office in Gali. During the detention the detainees were severely beaten by Russian FSB officers. According to information disseminated on 8th June 2015, several Russian militaries raped[29] a woman in the village of Merkheuli on 6th June 2015. The victim was a visitor from a neighbouring village. According to the same source, two Russian militaries, those blamed by family members of the victim, are relocated in the Bombora military base.[30]

2.3 Conclusion

Therefore it can be concluded that the situation described in the occupied regions of Georgia and examples provided for the reporting period[31] constitute infringements on freedom from torture and ill-treatment and therefore are violations of Article 7 of the International Covenant on Civil and Political Rights (ICCPR); Article 5 of the Universal Declaration of Human Rights (UDHR); Article 3 of the European Convention on Human Rights (ECHR); and the OSCE commitments.[32]

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[26] April-June 2015.

[27] See weekly press reviews on the human rights violations and current events in Abkhazia, prepared by the Justice Department of Georgia's Autonomous Republic of Abkhazia, April-June 2015.

[28] Gali districted is located in the occupied Abkhazia region.

[29] It should be noted that an act of rape by an official of the state can amount to torture under the ECHR (*Aydin v Turkey*, Judgment of 25 September 1997, paragraphs 83 and 86).

[30] See weekly press review on the human rights violations and current events in Abkhazia, prepared by the Justice Department of Georgia's Autonomous Republic of Abkhazia, April-June 2015.

[31] April-June 2015.

[32] The Vienna Concluding Document (1989) prohibits torture and other cruel, inhuman or degrading treatment or punishment. Paragraph 23.4; The Paris Document (1990) also prohibits torture and other cruel, inhuman or degrading treatment or punishment; the Istanbul Charter for European Security commits to "eradicating torture and other cruel, inhuman or degrading treatment or punishment throughout the OSCE area". Paragraph 21.

3. Arbitrary Detention

3.1 Introduction

Since the August War of 2008, in the occupied regions of Georgia, cases of arbitrary detention of ethnic Georgians have been very common; in addition, the Russian FSB officers regularly carry out arbitrary detention for so called "illegal border crossing" along the occupation line.[33] There are cases when Russian FSB officers enter the territory controlled by the central government of Georgia and detain local residents in their orchards, on village roads or in cemeteries (for example in the villages of Plavi, Bershueti and Zemo Sobisi, all located in the adjacent areas to the occupied Tskhinvali Region).[34] Between 2009 and March 2015, in total 2117 people were detained by Russian FSB officers for so called "illegal border crossing"; 1416 were detained along the occupation line in the Abkhazian region[35] and 701 in the Tskhinvali region.[36] The following number of arbitrary detentions took place by Russian officers in the years 2009-2014: 191 detainees in 2009; 191 detainees in 2010; 237 detainees in 2011; 294 detainees in 2012; 553 detainees in 2013; 512 detainees in 2014.[37] In most cases detention is followed by fines and later release.[38] It has been observed that the "detention period varies from several days up to several months or years without due access to procedural guarantees and right to fair trial".[39]

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[33] Georgia's Human Rights Report for 2013, United States Department of State, p. 15, available at: http://www.state.gov/documents/organization/220492.pdf; "Human Rights in the War-Affected Areas Following the Conflict in Georgia", OSCE/ODIHR, 27 November 2008, pp. 24-25, p. 25, pp. 37-38, 74; "August Ruins", Report of the Georgian Non- Governmental Organizations on Violations of Fundamental Human Rights and International Humanitarian Law, August War, 2008, Tbilisi 2009, p. 40; "Human Rights in Areas Affected by the South Ossetia Conflict. Special Mission to Georgia and Russian Federation", by Thomas Hammarberg, the Council of Europe Commissioner for Human Rights (Vladikavkaz, Tskhinvali, Gori, Tbilisi and Moscow, 22-29 August 2008), paragraph 94; "Pillay praises Georgia's plan to introduce comprehensive human rights reforms, Opening remarks by UN High Commissioner for Human Rights, Navi Pillay, at a press conference in Tbilisi." Georgia, 21 May 2014, available at: http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14624#sthash.OkwTyUpY.dpuf

[34] 2014 Annual Report of the Public Defender of Georgia on the Situation of Human Rights and Fundamental Freedom in Georgia, page 839.

[35] However according to the Russian Border Guards' information, during the last 5 years, approximately 10 000 people were detained by them along the occupation line in the Abkhazian region for so called "illegal border crossing". See http://www.apsnypress.info/news/pogranupravlenie-fsb-rossii-v-abkhazii-otmechaet-pyatuyu-godovshchinu-so-dnya-obrazovaniya.

[36] "Georgian Citizens Detained by Russian Occupational Troops in 2009-2015", 18 May, 2015. Institute for Development of Freedom of Information (IDFI).

[37] "Georgian Citizens Detained by Russian Occupational Troops in 2009-2015", 18 May, 2015. Institute for Development of Freedom of Information (IDFI).

[38] Report of the Year 2014 of the Public Defender of Georgia on the Situation of Rights of the Population Affected by the Conflicts, 5 June 2015, page 21.

[39] "Russia's Responsibility for Human Rights in Occupied Region of Georgia" Submission from the Georgian Young Lawyers' Association (GYLA), National Institute for Human Rights (NIHR) and Human Rights Priority for consideration at the 113th Session of the Human Rights Committee (16 March-2 April 2015) Russian Federation, p. 3.

3.2 Current Situation

Numerous cases have been reported during the reporting period[40] on arbitrary detention in the occupied regions.[41] Numerous sources state that arbitrary detention took place during the reporting period. For example, information available in the Georgian media and other open sources report the following: on 1st April 2015, a resident of the village of Kere, Gori district, was detained by Russian FSB officers for so called "illegal border crossing". The detainee was released on 2nd April after paying a fine amounting to 2,000 rubles; on 25th April 2015, an underage resident of the village of Nabakevi, Gali district, was detained by Russian FSB officers for so called "illegal border crossing" and was taken to the de facto Abkhazia State Security office in Gali; on 28th April 2015, seven residents of the villages of Nabakevi and Tagiloni, Gali district, were detained by Russian FSB officers for so called "illegal border crossing" and were taken to the de facto Abkhazia State Security office in Gali; on 10th May 2015, approximately 30 residents of Gali district, including a school child from the village of Nabakevi, Gali district, were detained by Russian FSB officers for so called "illegal border crossing" and were taken to the de facto Abkhazia State Security office in Gali; on 18th May 2015, a resident of the village of Adzvi, Gori district, was detained by Russian FSB officers for so called "illegal border crossing" in the area of the village of Adzvi, Gori district. The detainee was released on 19 May after paying a fine amounting to 2,000 rubles; on 3rd June 2015, two residents (mother and underage daughter) of the village of Nabakevi, Gali district, were detained by Russian FSB officers for so called "illegal border crossing" in the area of the village of Nabakevi, Gali district, and were taken to the de facto Abkhazia State Security office in Gali; on 9th June 2015, three residents of the village of Okumi, Gali district, were detained by Russian FSB officers for so called "illegal border crossing" in the area of the village of Nabakevi, Gali district, and were taken to the de facto Abkhazia State Security office in Gali; on 20th June 2015, a resident of Tbilisi was detained by Russian FSB officers for so called "illegal border crossing" in the area of the village of Mosabruni, Akhalgori district; on 22nd June 2015, a resident of the village of Nabakevi, Gali district, was detained by Russian FSB officers for so called "illegal border crossing" and was taken to the de facto Abkhazia State Security office in Gali; on 30th June 2015, a resident of the village of Plevi, Khashuri district, was detained by Russian FSB officers for so called "illegal border crossing".[42]

3.3 Conclusion

Therefore it can be concluded that the situation described in the occupied regions of Georgia and examples provided for the reporting period[43] constitute arbitrary detention and therefore violations of Article 9 of the International Covenant on Civil

[40] April-June 2015.

[41] See weekly press reviews on the human rights violations and current events in Abkhazia, prepared by the Justice Department of Georgia's Autonomous Republic of Abkhazia, April-June 2015.

[42] See weekly press reviews on the human rights violations and current events in Abkhazia, prepared by the Justice Department of Georgia's Autonomous Republic of Abkhazia, April-June 2015.

[43] April-June 2015.

and Political Rights (ICCPR); Article 3 of the Universal Declaration of Human Rights (UDHR); Article 5 of the European Convention on Human Rights (ECHR); and relevant provisions of the OSCE commitments.[44]

4. Freedom of Movement

4.1 Introduction

Russian FSB officers administering and controlling the occupation line prevent people, including hundreds of thousands of IDPs and refugees, from exercising their right to freedom of movement and freedom to choose their residence within the borders of the state.[45] The crossing regime that was established by the occupying power along the occupation line in the aftermath of the August War of 2008 puts restrictions and limitations on freedom of movement for people living on both sides of the administrative boundary line (ABL) with Abkhazia and the Tskhinvali Region. It has been argued by the Council of Europe that "[p]redictability and transparency of the crossing regime at the ABL continue to be hindered by the confusion surrounding the validity of documents used for crossing purposes. While the majority of people use an Abkhaz "passport", in some cases Forms N° 9 and old Soviet passports reportedly continue to be accepted. The period of validity of their use however remains unclear."[46] The Russian FSB officers guards place undue restrictions on the local population wishing to cross the occupation line; operating crossing points along the occupation lines function in conjunction with the illegal and discriminatory rules imposed by the Russian FSB officers.

4.2 Current Situation

The situation described with regard to the freedom of movement continues and has remained unaltered between April and June 2015: numerous cases were reported during the reporting period[47] on violations of the right to freedom of movement.[48] Numerous sources suggest violations of the freedom of movement during the reporting period.

Restrictions on Medical Care

On 4th May 2015, a 12 year old boy Irakli Tsaava, a resident of the village of Kvemo Barghebi, Gali district, died on the occupation line in the Abkhazia region. The child became a victim of the violation of his right to freedom of movement, namely the boy had severe health problems and his parents decided to take him across the occupation line in order to access medical care in Zugdidi, on the territory controlled by the central government of Georgia. However Russian FSB border officers did not allow him to cross the occupation line and that resulted in the

[44] The Vienna Concluding Document (1989) provides for ensuring that no one is subjected to arbitrary arrest, detention or exile. Paragraph 23.1; According to the Moscow Document (1991) "no one will be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law". Paragraph 23.1 (i).

[45] Report of the Year 2014 of the Public Defender of Georgia on the Situation of Rights of the Population Affected by the Conflicts, 5 June 2015, pages 16-20.

[46] Consolidated Report on the Conflict in Georgia, Council of Europe (November 2014-March 2015), 22 April 2015, SG/Inf (2015) 18, paragraph 44.

[47] April-June 2015.

[48] See weekly press reviews on the human rights violations and current events in Abkhazia, prepared by the Justice Department of Georgia's Autonomous Republic of Abkhazia, April-June 2015.

death of the 12 year old child on the occupation line. The Ministry of Foreign Affairs of Georgia made a statement on this tragic case.[49] The Public Defender of Georgian issued a statement on the disseminated information on death of the child.[50] There are numerous other cases of individuals not allowed to enter territory controlled by the central government of Georgia.[51] For example, information available in the Georgian media and other open sources report the following: on 27 April 2015, a resident of the village of Otobaia, Gali district, was not allowed to enter territory controlled by the central government. The person suffered from a serious illness and needed treatment in Zugdidi Central Hospital, located on territory controlled by the central government of Georgia; on 22nd May 2015, a husband and wife and their two children, one of whom is two years old and suffers from asthma, all of them residents of the village of Okumi, Gali district, were detained by Russian FSB officers for so called "illegal border crossing" in the area of the village of Nabakevi, Gali district. The family intended to travel to territory controlled by the central government of Georgia for medical reasons. While detained, at the Russian FSB base, located in Nabakevi village, the child suffered from an asthma attack and was treated in the local ambulance. Finally, all detainees except the father of the family were released on condition that a payment to be made within a few days at the de facto Abkhazia State Security office in Gali.[52]

Easter Holiday Restrictions

It should be emphasized that during the reporting period, namely during the Orthodox Easter holiday on 12 and 13 April 2015, the so called entry points along the occupation line in the Tskhinvali region were closed. The decision was made by Russia's occupation regime in Tskhinvali, namely by the so called "South Ossetia Committee for State Security" in order to further restrict freedom of movement of local residents. In connection with this religious holiday there is a tradition of

[49] Statement of the Ministry of Foreign Affairs of Georgia, 5 May 2015, available at: http://www.mfa.gov.ge/News/%E1%83%A1%E1%83%90%E1%83%92%E1%83%90%E1%83%A0%E1%83%94%E1%83%9D-%E1%83%A1%E1%83%90%E1%83%A5%E1%83%9B%E1%83%94%E1%83%97%E1%83%90-%E1%83%A1%E1%83%90%E1%83%9B%E1%83%98%E1%83%9C%E1%83%98%E1%83%A1%E1%83%A2%E1%83%A0%E1%83%9D%E1%83%A1-%E1%83%92%E1%83%90%E1%83%9C%E1%83%AA%E1%83%AE%E1%83%90%E1%83%93%E1%83%94%E1%83%91%E1%83%90-(5).aspx?CatID=5&lang=en-US.

[50] Statement of the Public Defender of Georgia of Georgia on the Death of a Boy along the Dividing Line with Abkhazia. 6 May 2015. http://www.ombudsman.ge/en/news/statement-of-the-public-defender-on-the-death-of-a-minor-on-the-administrative-boundary-line-with-abkhazia.page.

[51] It should be noted that the system of health care of Georgia operates a program that ensures free of charge medical treatment of people living in the occupied regions of Georgia. According to the official data, in 2014 from the occupied region of Abkhazia 352 ethnic Abkhazians benefited from this medical system on the territory controlled by the central government.

[52] See weekly press reviews on the human rights violations and current events in Abkhazia, prepared by the Justice Department of Georgia's Autonomous Republic of Abkhazia, April-June 2015.

visiting churches and cemeteries on both sides of the occupation line. The Ministry of Foreign Affairs of Georgia made a statement on this case.[53]

Detention linked to "Jonjoli" Harvesting

May is the month for the "Jonjoli" harvest in Georgia. "Jonjoli" or bladdernut is a shrub that grows wild in areas adjacent to the occupation line. "Jonjoli" is used for cooking in Georgia and is sold in markets; it constitutes the main source of income for some people living in villages. Information available in the Georgian media and other open sources report the following cases: in May 2015, dozens of people were detained by Russians FSB officers patrolling the occupation line in villages mostly around the town of Sachkere, which is a town located on territory controlled by the central government of Georgia. For example, on 8th May 2015, a resident of the village of Korbouli, Sachkhere district, was detained for so called "illegal border crossing" by Russian FSB officers while harvesting "jonjoli". The detainee was released on 13th May after paying a fine amounting to 2,000 rubles; on 16th May 2015, a resident of the village of Gorisa, Sachkhere district, was detained by Russian FSB officers while harvesting "jonjoli" for so called "illegal border crossing". The detainee was released on 19th May after paying a fine amounting to 2,000 rubles; on 19th May 2015, a resident of the village Khvani, Sachkhere district, was detained by Russian FSB officers while harvesting "jonjoli" for so called "illegal border crossing". The detainee was released on 26th May after paying a fine amounting to 2,000 rubles; on 26th May 2015, a resident of the village Argveti, Sachkhere district, was detained by Russian FSB officers while harvesting "jonjoli" for so called "illegal border crossing." The detainee was released on 1st June after paying a fine amounting to 2,000 rubles.[54]

4.3 Conclusion

Therefore it can be concluded that the situation described in the occupied regions of Georgia and examples provided for the reporting period[55] constitute violations of the right to freedom of movement, namely of Article 12 of the International Covenant on Civil and Political Rights (ICCPR); Article 13 of the Universal Declaration of

[53] Statement of the Ministry of Foreign Affairs of Georgia in reaction to the closing of the so-called entry points along the Tskhinvali region's occupation line during the Easter holiday, 11 April 2015, available at: http://www.mfa.gov.ge/News/%E1%83%92%E1%83%90%E1%83%9C%E1%83%AA%E1%83%AE%E1%83%90%E1%83%93%E1%83%94%E1%83%91%E1%83%90-%E1%83%AA%E1%83%AE%E1%83%98%E1%83%9C%E1%83%95%E1%83%90%E1%83%9A%E1%83%98%E1%83%A1-%E1%83%A0%E1%83%94%E1%83%92%E1%83%98%E1%83%9D%E1%83%9C%E1%83%A8%E1%83%98-%E1%83%A1%E1%83%90%E1%83%90%E1%83%A6%E1%83%93%E1%83%92%E1%83%9D%E1%83%9B%E1%83%9D-%E1%83%93%E1%83%A6%E1%83%94%E1%83%A1%E1%83%90%E1%83%A1%E1%83%AC%E1%83%90%E1%83%A3%E1%83%9A.aspx?CatID=5&lang=en-US.

[54] See weekly press reviews on the human rights violations and current events in Abkhazia, prepared by the Justice Department of Georgia's Autonomous Republic of Abkhazia, April-June 2015.

[55] April-June 2015.

Human Rights (UDHR); Article 2, Protocol No. 4 of the European Convention on Human Rights (ECHR); and the OSCE freedom of movement commitments.[56] And limitations imposed by the Russian FSB officers on freedom of movement and residence in the occupied regions of Georgia cannot be considered as permissible.[57] It can be further concluded that limitations on freedom of movement in the occupied regions of Georgia violate the economic, social and cultural rights under the International Covenant on Economic, Social and Cultural Rights and relevant international instruments.[58]

5. Right to Property

5.1 Introduction

The issue of homes and property lost during the conflicts in Georgia remains unsolved. For years, the right to property has been subject to systematic and gross violations in the occupied regions of Georgia; hundreds of houses of ethnic Georgians were burned/destroyed deliberately during and after the August War of 2008.[59] For example, in the village of Zardiaantkari, Gori district, most of the

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[56] According to paragraph 33 of the Moscow Document (1991), the OSCE participating States are obliged to remove all restrictions with regard to travel within the territory of a State and with regard to residence for those entitled to permanent residence within the territory of a State. And according to paragraph 20 of the Vienna Concluding Document (1989), the OSCE participating States are committed to secure the right of everyone to freedom of movement and residence within the borders of a State.

[57] For example, under paragraph 3 of Article 12 of the ICCPR, the following measures could constitute permissible restrictions on the right under paragraph 1: traffic safety rules, restrictions on access to nature reserves, avalanche zones, quarantine zones, and prohibitions on unlicensed access to private property. (Joseph, S. Schultz J. and Castan, M. *The International Covenant on Civil and Political Rights: Cases, Materials and Commentary* (Oxford: Oxford University Press, 2004, p. 364). According to paragraphs 3 and 4 of Article 2, Protocol No. 4 of the ECHR, any measure restricting the right in paragraph 1 must be lawful and pursue one of the legitimate aims listed and strike a fair balance between the public interest and the individual's rights. (*Riener v Bulgaria*, (App.46343/9), 23 May 2006, (2007) 45 EHRR 723, paragraph 109).

[58] It is of great significance to note that limitations on freedom of movement in the occupied regions of Georgia divides families and communities; blocks the access of the local population to their agricultural lands and potable/irrigation water systems; prevents the local population from visiting religious sites and from having access to cemeteries; restricts the right to education in the native language; and most alarmingly, blocks local residents from reaching the emergency medical services. It has been argued that socio-economic conditions of people residing in the vicinity of the occupation line is grave. For example, see "Information Bulletin of Public Defender of Georgia: On Human Rights of Conflict Affected Population", Public Defender of Georgia, 2014, pp. 5-7.

[59] "Human Rights in the War-Affected Areas Following the Conflict in Georgia", OSCE/ODIHR, 27 November 2008, pp. 24-25, pp. 26-28; p. 42; pp. 44-45, p. 61; "August Ruins", Report of the Georgian Non-Governmental Organizations on Violations of Fundamental Human Rights and International Humanitarian Law, August War, 2008, Tbilisi 2009, p. 28; "Human Rights in Areas Affected by the South Ossetia Conflict. Special Mission to Georgia and Russian Federation", by Thomas Hammarberg, the Council of Europe Commissioner for Human Rights (Vladikavkaz, Tskhinvali, Gori, Tbilisi and Moscow, 22-29 August 2008), paragraph 94; "Russia's Responsibility for Human Rights in Occupied Regions of Georgia" Submission from the Georgian Young Lawyers' Association (GYLA), National Institute for Human Rights (NIHR) and Human Rights Priority for consideration at the 113th Session of the Human Rights Committee (16 March-2 April 2015) Russian Federation, p. 4 and 9.

houses were destroyed.[60] And in the village of Gugutiantkari, Gori district, the residents lost access to 50 per cent of their agricultural land plots since they are located now on the other side of the occupation line.

5.2 Current Situation

The situation described with regard to the right to property remained the same between April and June 2015. Numerous sources suggest continuing violations of the rights to property during the reporting period:[61] for example, according to information disseminated on 23rd April 2015, Russian occupation forces were carrying out in the Gali and Ochamchire districts demolition of houses of ethnic Georgians. According to the same source, ethnic Georgians living in Gali reported the following via telephone "the process of the demolition of houses in some villages of Gali district and in the town of Gali itself has already started. These are houses that have been deserted since the nineties. Owners of these houses, ethnic Georgians, were expelled in the nineties and never allowed to return due to the fact that members of their families fought in the conflict in order to protect their houses and families." According to the information disseminated, dozens of houses were demolished in the low zone villages of Gali district and along Komkavshirebi Street, Gali. Four houses were demolished in the village of Okumi. More houses were demolished in the Gali district than in the Ochamchire district. According to the same source, it is planned to sell these plots of lands for building new houses.[62] And according to information disseminated on 10th June 2015, Mr Raul Khajinba, met organizations of war veterans. At the meeting he declared that from the "Prosecutor's Office" he received a list of 100 free flats in the capital Sokhumi and these flats will be handed free of charge to Abkhaz war veterans and newly established families. It should be noted that these free 100 flats in Sokhumi represent the property of IDPs.[63] It should be emphasized that during the reporting period the United Nations General Assembly made a resolution stressing "the need to respect the properly rights of all internally displaced persons and refugees affected by the conflicts in Georgia and to refrain from obtaining property in violation of these rights".[64]

5.3 Conclusion

Therefore it can be concluded that the situation described in the occupied regions of Georgia and examples provided for the reporting period[65] violate the right to property, namely Article 17 of the Universal Declaration of Human Rights (UDHR);

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[60] "Special Report of the Public Defender of Georgia on Human Rights in the Conflict Affected Region, Zardiaantkari: Consequences of War and the Burden of Existence", Public Defender of Georgia, December 2014.

[61] April-June 2015.

[62] See weekly press reviews on the human rights violations and current events in Abkhazia, prepared by the Justice Department of Georgia's Autonomous Republic of Abkhazia, April-June 2015, p. 9.

[63] See weekly press reviews on the human rights violations and current events in Abkhazia, prepared by the Justice Department of Georgia's Autonomous Republic of Abkhazia, April-June 2015.

[64] Resolution adopted by the General Assembly on 3 June 2015 on Status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia, A/RES/69/286, paragraph 2. See also previous resolutions: 68/274 of 5 June 2014; 67/268 of 13 June 2013; 66/283 of 3 July 2012; 65/287 of 29 June 2011 etc.

[65] April-June 2015.

Article 1, Protocol No. 1 of the European Convention on Human Rights (ECHR); and the OSCE commitments.[66]

6. Right to Education in the Native Language

6.1 Introduction

The right to receive education in the native language is widely recognized under international law.[67] In the Gali district there are 31 schools. There are 4, 459 pupils and 918 employees in these 31 schools. From 4,459 pupils, 4,351 i.e. 97.57 per cent, are ethnically Georgian.[68] From 918 employees, 91.78 per cent are ethnically Georgian.68 From 31 schools only 11 schools, all of which are in "lower zone" of Gali district, have the status of Georgian schools where subjects are taught in the Georgian language.[69] It is alarming that in these 11 schools, the teaching hours of the Georgian language and literature has been decreased from 10-10 hours to 6-6 hours. These 4-4 hours are used for teaching the Russian language.[70] However, it should be noted that in these 11 schools the teaching of the history of Georgia and geography of Georgia is banned and the documents cannot be processed in the Georgian language.[71] As for 9 schools which are in "upper zone" of Gali district, subjects are taught only in the Russian language and only 1-1 hour is allocated for learning the Georgian language and Georgian literature.[72] It should be emphasized that the process of the installation of barbed wire fences by the Russian Federation and limitations on freedom of movement in the occupied regions of Georgia violate human rights, including, the right to education in the native language.

6.2 Current Situation

Before 2014, in 11 Georgian schools in the Gali district, the Russian language was taught from 3rd grade classes as a foreign language and now the Russian language is being taught from the 1st grade classes as a "mother tongue".[73] According to the decision taken, in all schools of "lower zone" of Gali district, including in the 11 Georgian schools in the academic year 2015-2016, all subjects in the 1st grade

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[66] The OSCE commitments impose obligation on states to ensure that everyone has the right to enjoy property and that no one may be deprived of properly except under conditions provided for by law. Moscow Document (1991), paragraph 24; Copenhagen Document (1990), paragraph 9.6.

[67] *Languages and the Realization of the Right to Education*, UNESCO. For example, under the ECHR, the right to education implies the right to be educated in the national language. *Belgian Linguistic Case*, Judgment of 23 July 1968, para. 3 (A.6 (1968), p.31). In *Cyprus v. Turkey* the Court stated that the abolishing the facility for Greek-Cypriot children in Northern Cyprus for pursuing a secondary education in the Greek language violated Article 2 of the ECHR. Judgment of 10 May 2001, paragraphs 273-280.

[68] This data is based on the information supplied by the Educational Resource Centre of Gali district.

[69] Report of the Year 2014 of the Public Defender of Georgia on the Situation of Rights of the Population Affected by the Conflicts, 5 June 2015, page 26.

[70] 2014 Annual Report of the Public Defender of Georgia on the Situation of Human Rights and Fundamental Freedom in Georgia, page 845.

[71] Proceedings of "Conference on the Right to Education in the Georgian Language in the Occupied Gali District", held on 23 June 2015.

[72] Report of the Year 2014 of the Public Defender of Georgia on the Situation of Rights of the Population Affected by the Conflicts, 5 June 2015, page 27.

[73] 2014 Annual Report of the Public Defender of Georgia on the Situation of Human Rights and Fundamental Freedom in Georgia, page 845.

classes will be taught in the Russian language.[74] It is noteworthy that this is a practice which has been used in the schools of "upper zone" of Gali district where Russian language 1st grade classes gradually replaced Georgian language 1st grade classes and Georgian schools gradually became Russian schools.[75] It should be recalled that replacement of the Georgian curriculum with a Russian curriculum in the schools of the Gali district was a part of a pre-electoral campaign of Mr Raul Khajinba. On 12th March 2015, Mr Khajinba publicly declared when meeting the Gali residents that in the remaining 11 Georgian schools in the Gali district, the curriculum will become Russian from September 2015.[76] On 22nd May 2015, a teacher's conference was held in Gali; at the conference it was stated clearly that the decision had been made to transform the 11 schools of "lower zone" of Gali district into Abkhazian standards — implying teaching in the Russian language.[77] The fate of the status of the Georgian language and the number of hours of the Georgian language and literature to be taught in these 11 schools remain unclear.[78]

Children residing in the occupied villages of Saberio, Pichor and Meore Otobaia, Gali district, need to cross the occupation line in order to go to the schools in the Tsalenjikha and Zugdidi districts on territory controlled by the central government of Georgia. For comparison, in 2014, 103 schoolchildren were registered from the occupied regions in these schools and now in 2015 the number is 45; parents of the schoolchildren were forced to take their children to schools in the occupied region.[79] According to information disseminated on 13th April 2015, there are plans to ban teaching in the Georgian language in the Gali district. According to residents of the Gali district, they are warned that from September 2015 their children will be taught only in Russian and Abkhazian languages. On 14th April 2015, Mr David Usupashvili, President of the Parliament of Georgia publicly commented on disseminated news on possible ban of the Georgian language in the Gali district. He stated that learning and education issue in the occupied Gali always was connected to many problems and that currently the Georgian authorities are not in a position to solve all the problems on the ground in Gali.[80] According to Ms Nona Shonia, Head of the Educational Resource Centre of the Gali district, from the academic year 2015-2016 the scope of the Georgian language in 11 Georgian schools of the Gali district will be further restricted and the subjects will be taught in the Russian language.[81] According to information disseminated on 13th April 2015, school directors and superior administrative staff of the schools in the occupied region of Abkhazia are banned to cross the occupation line and enter territory controlled by

[74] Proceedings of "Conference on the Right to Education in the Georgian Language in the Occupied Gali District", held on 23 June 2015.

[75] 2014 Annual Report of the Public Defender of Georgia on the Situation of Human Rights and Fundamental Freedom in Georgia, page 845.

[76] See weekly press reviews on the human rights violations and current events in Abkhazia, prepared by the Justice Department of Georgia's Autonomous Republic of Abkhazia, April-June 2015.

[77] Proceedings of "Conference on the Right to Education in the Georgian Language in the Occupied Gali District", held on 23 June 2015.

[78] Proceedings of "Conference on the Right to Education in the Georgian Language in the Occupied Gali District", held on 23 June 2015.

[79] Proceedings of "Conference on the Right to Education in the Georgian Language in the Occupied Gali District", held on 23 June 2015.

[80] Comment by Mr David Usupashvili "Teaching and Learning Issue in Gali always was Connected to Many Problems", Interpressnews, 14 April 2015.

[81] See weekly press reviews on the human rights violations and current events in Abkhazia, prepared by the Justice Department of Georgia's Autonomous Republic of Abkhazia, April-June 2015.

the central government of Georgia without special permission. According to the source, this ban might be extended to include all Georgian language teachers.[82]

6.3 Conclusion

Therefore it can be concluded that the situation described in the occupied regions of Georgia and examples provided for the reporting period[83] constitute violations of the right to education in one's native language and therefore violations of Article 26 (read in conjunction with Article 2) of the Universal Declaration of Human Rights (UDHR); Article 2, Protocol No. 1 of the European Convention on Human Rights (ECHR); Article 28 (read in conjunction with paragraph 1 of Article 2) of the UN Convention on the Rights of the Child; and relevant provisions of OSCE commitments.[84]

7. Appeal to the International Community

The Ministry of Foreign Affairs of Georgia appeals to the international community, states as well as international intergovernmental and non-governmental organizations:

to continue recognizing extensively and widely the occupation of the territories of Georgia by the Russian Federation;

to continue calling on the Russian Federation to bear responsibility for human rights violations on the occupied regions of Georgia;

to continue calling on the Russian Federation to stop placing and remove barbed wire fences and other artificial obstacles along the occupation line;

to take additional measures in order to monitor and report on the human rights situation in the occupied regions of Georgia, more specifically, the Ministry of Foreign Affairs of Georgia appeals to:

i) the Commissioner for Human Rights of the Council of Europe to visit by the end of the year 2015 the Georgian region of Abkhazia and administrative boundary line adjacent to the Tskhinvali region to monitor the human rights situation and report on the situation;[85]

ii) the Office of the High Commissioner of Human Rights of the UN to take additional measures in order to regularly address and assess the human right situation in Abkhazia and Tskhinvali region of Georgia;

iii) the UN Human Rights Council's Special Procedure Mandate holders to take additional measures in order to address and report on the human right situation in Abkhazia and Tskhinvali region of Georgia);

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[82] See weekly press reviews on the human rights violations and current events in Abkhazia, prepared by the Justice Department of Georgia's Autonomous Republic of Abkhazia, April-June 2015.

[83] April-June 2015.

[84] According to paragraph 63 of the Vienna Document (1989), all shall have access to "the various types and levels of education without discrimination as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status".

[85] See also "The Council of Europe and the conflict in Georgia", decision of the Committee of Ministers' Deputies of the Council of Europe, 1227th Meeting (12 May 2015), paragraph 5.

to continue calling on the Russian Federation to allow a) access of the international human rights monitoring mechanisms to the occupied regions of Georgia; b) relevant missions of international organizations (e.g. EUMM), including humanitarian organizations, to the occupied regions of Georgia through legal routes;

to continue and intensify condemning violations of human rights such as freedom of movement; freedom from torture and ill-treatment; the right to liberty; the right to property and the right to receive education in the native language in the occupied regions of Georgia.